

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: DEALER MANAGEMENT
SYSTEMS ANTITRUST LITIGATION**

**This Document Relates to:
The Dealership Class Action**

MDL No. 2817
Case No. 18-cv-00864

Hon. Rebecca R. Pallmeyer

**DEALERSHIP CLASS PLAINTIFFS' MOTION FOR ADDITIONAL PAGES
FOR CLASS CERTIFICATION BRIEFING**

Dealership Class Plaintiffs ("Dealers" or "Plaintiffs") submit this Motion for Leave to File Additional Pages for the Dealers' Opening Class Certification Brief ("Opening Brief") and any responses or replies thereto, stating as follows:

1. Pursuant to this Court's Minute Entry Order dated September 29, 2023 (ECF No. 1414), Dealers' Opening Brief and expert reports are to be filed this Tuesday, November 21, 2023; CDK Global, LLC's ("CDK") Opposition Brief, expert reports and Opening Daubert Brief, if any, are to be filed on January 5, 2024; Dealers' Reply Brief and expert report, Daubert Opposition Brief and Opening Daubert Brief, if any, are to be filed on February 16, 2024; and CDK's Reply Daubert Brief and Opposition Daubert Brief, if any, are to be filed on March 15, 2024.

2. Local Rule 7.1 provides that a brief in support of or in opposition to any motion may not exceed 15 pages "without prior approval of the court."

3. Plaintiffs respectfully request that this Court grant this Motion for the Dealers to extend the page limits for their Opening Brief not to exceed 25 pages. Additional pages are needed

to sufficiently address the relevant issues including the certification of multiple national and state classes as well as to present economic analysis of additional damages for each of the proposed classes, as detailed by data recently produced by CDK and former Defendant The Reynolds and Reynolds Company.

4. Plaintiffs informed CDK several weeks ago they would be requesting an extension of the page limits for the Opening Brief. On November 16, 2023, Plaintiffs emailed CDK requesting 25 pages for Dealers' Opening Brief, 25 pages for CDK's Opposition Brief, and Dealers' Reply Brief remaining at 15 pages.

5. In response, CDK stated it did not object in principle to the Dealers' request to enlarge the page limits; however, they would only agree if Dealers and Vendors in *Loop, LLC, d/b/a AutoLoop v. CDK Global, LLC*, No. 18-cv-2521 agreed that (1) CDK could submit an Omnibus Response equal in length to the combined total pages of Dealers' and Vendors' Opening Briefs; and (2) CDK would receive a two-week extension to file their Opposition until January 19, 2024.

6. Vendors and Dealers responded separately to CDK on November 17, 2023 that there was no agreement (unlike with the Summary Judgment briefing) that CDK may file an Omnibus Response to the Dealers' and Vendors' separate briefs and did not consent to CDK's requested extension, which was not consistent with the schedule the parties previously negotiated.

7. Contemporaneous with the filing of this Motion, the undersigned has transmitted a copy of a Proposed Order to "Proposed_Order_Pallmeyer@ilnd.uscourts.gov" with a copy to all counsel of record as required by the Case Procedures of Judge Pallmeyer.

For the foregoing reasons, Dealership Plaintiffs respectfully request that the Court grant their motion to file a brief not to exceed 25 pages in support of their Motion for Class Certification,

that CDK files an Opposition Brief not to exceed 25 pages, and Dealers file a reply brief not to exceed 15 pages, with the agreed-upon schedule of filing dates (ECF No. 1414) to remain the same.¹

Dated: November 19, 2023

Respectfully submitted,

/s/ Peggy J. Wedgworth

Peggy J. Wedgworth (*pro hac vice*)

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¹ Page limitations exclude exhibits and appendices.

CERTIFICATE OF SERVICE

I, Peggy J. Wedgworth, an attorney, hereby certify that on November 19, 2023, I caused a true and correct copy of the foregoing **DEALERSHIP CLASS PLAINTIFFS' MOTION FOR ADDITIONAL PAGES FOR CLASS CERTIFICATION BRIEFING** to be filed and served electronically via the Court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Peggy J. Wedgworth
Peggy J. Wedgworth